

TOWN OF CENTER

Planning Committee Minutes

May 3, 2023

Jeanne Baum called the meeting to order at 5:30 p.m.

Planning Committee Members Present: Jeanne Baum, Steve Schmeichel, Gary Timm, Al Kramer, Mike Wilbert, Greg Nettekoven

Planning Committee Members Absent: Bob Johnson, Dennis Buschke

Town Board Members Present: Gary Timm, David Vander Bloomen

Others Present: Lesley Roll, Pat Roll, Kim Nagel, Bruce Nagel, Ricardo Pahua, Kat Gamboa, Cindy Reischl, Gary Wichman

Gary Timm moved, seconded by Steve Schmeichel to approve the minutes of the April 5, 2023 Planning Committee Meeting. Motion carried - 6 aye, 0 nay.

Al Kramer moved, seconded by Gary Timm to nominate Steve Schmeichel for Chairperson. Jeanne Baum asked three times for any other nominations. No other nominations were made. Al Kramer moved, seconded by Gary Timm to cast a unanimous ballot for Steve Schmeichel for Chairperson. Motion carried. Steve Schmeichel continued the meeting as Chairperson.

Gary Timm moved, seconded by Steve Schmeichel to nominate Jeanne Baum for Vice Chairperson. Steve Schmeichel asked three times for any other nominations. No other nominations were made. Gary Timm moved, seconded by Greg Nettekoven to cast a unanimous ballot for Jeanne Baum for Vice Chairperson. Motion carried.

Steve Schmeichel moved, seconded by Al Kramer to nominate Amy Olson for Secretary. Steve Schmeichel asked three times if there were any other nominations. No other nominations were made. Jeanne Baum moved, seconded by Greg Nettekoven to cast a unanimous ballot for Amy Olson for Secretary. Motion carried.

Freddy Alexander García Sáenz and Ricardo José Luis Pahua Francisco, petitioners, have requested approval for a Special Exception Permit for the operation of an auto repair business at N2879 State Road 47, Parcel #040-091400.

Al Kramer questioned if the petitioners resided on the premises – he noted that per section 54-130(11), an auto repair shop is allowed as a Special Exception as long as the owner/proprietor resides on the premises. The petitioners do not live on the property. Al Kramer would like clarification if Special Exceptions are allowed to be granted to a renter instead of the owner. It was also questioned why a permit is needed when it is already zoned commercial. Al Kramer moved to table the issue until next month to allow time to get these questions answered. Kat Gamboa is the translator for the petitioners and she stated that the petitioners are already paying rent and they would like to keep the process moving forward. There was discussion amongst the committee about not wanting to create a hardship for the petitioners and possibly approving it conditionally. Al Kramer withdrew his motion. There was concern from Al Kramer and Greg Nettekoven about voting on this issue when they do not have all of their questions answered.

Jeanne Baum moved, seconded by Gary Timm to recommend approval of the Special Exception Request as submitted but questions should be clarified with Steve Swanson from Outagamie County before the Town Board meeting (1) Can a Special Exception Permit be given to the renter instead of the owner? (2) Does the petitioner need to live on the property? (3) Why is this permit needed for commercial property? Jeanne Baum also moved, seconded by Gary Timm that this Special Exception permit be limited to the applicant renters only. Motion carried - 4 aye (Schmeichel, Baum, Wilbert, Timm), 2 nay (Kramer, Nettekoven).

Bruce Nagel, petitioner, has requested approval for a Special Exception Permit for the operation of an auto repair business at N3895 Anita Wieckert Road, Parcel #040-037609.

The review of Bruce Nagel's request at this meeting was for informational purposes only. The Planning Committee will recommend approval or denial at the next scheduled meeting on June 7, 2023. Bruce Nagel explained he would like to work part-time on 1-2 vehicles per month and sell them online. He would not have any signs or vehicles parked outside. The garage faces Pleasant Road but the setbacks are based off of the front of the parcel which is on Anita Wieckert Road.

Cindy Reischl is a neighboring resident who questioned if the special exception permit would always stay with the property even if the current owner sold it. Steve Schmeichel informed her that the permit would stay with the property unless there was a condition placed on the permit stating that it would stay only with this owner.

Gary Wichman is a neighboring resident who questioned enforcement of the permit. Steve Schmeichel explained that the town follows county zoning ordinances. The county has regulations on allowable signs and number of unregistered vehicles that can be parked on a property.

Al Kramer moved, seconded by Gary Timm to adjourn at 6:12 p.m. Motion carried.

Respectfully submitted,

Amy Olson
Town of Center Clerk-Treasurer